



CANNON BUILDING
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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF HOME INSPECTORS
DATE AND TIME:	Wednesday, July 10, 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room B
APPROVED:	August 22, 2013

MEMBERS PRESENT

Donald S. Pyle, Sr., Professional Member, Chair
Dennis Theoharis, Public Member, Vice Chair
Joyce Edwards, Public Member
Daniel C. Eichelberger, Professional Member (arrived at 9:50 p.m.)
Tim Harriger, Professional Member (arrived at 9:50 p.m.)

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Jennifer Singh, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
James Collins, Division Director
Kay Warren, Deputy Director

PUBLIC PRESENT

Wes Mast (arrived at 10:20 a.m.)

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:38 a.m.

Deliberations on Proposed Rules and Regulations

Ms. McAtee stated that one written comment came in from Mark Valencik. Ms. Singh stated that the Board should now deliberate on the proposed Rules and Regulations and consider Mr. Valencik's comments during their deliberations.

Mr. Pyle stated that there was a learning curve from becoming a home inspector from a builder, just because a person builds houses does not qualify one to be a home inspector. Obtaining a high score on an exam does not qualify one to inspect houses. The Board has written these Rules and Regulations to protect the public. The Board has worked with legislators to create a fair law.

Mr. Pyle made a motion, seconded by Mr. Theoharis, to approve the proposed rules and regulations. The board signed the order

Ms. Singh stated that the proposed Rules and Regulations would be published as final on August 1st and would appear on the website ten days later.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the June 24, 2013 meeting. Mr. Theoharis made a motion, seconded by Ms. Edwards, to approve the minutes. The motion carried unanimously.

UNFINISHED BUSINESS

Update on Statutory Issues

Ms. Warren stated that SB 30 amended by SB 1 passed the House on June 30, 2013 and would be effective on August 6, 2013. Ms. Warren thanked Mr. Pyle for his help and hard work during the legislative process.

Update on Applications

Mr. Pyle stated that he started an application and found everything to be in order.

Mr. Theoharis asked what would happen if someone was practicing without a license after the deadline for licensure. Ms. Singh stated that complaints are public driven and SB 90 recently passed which allows the Division to directly give citations with fines and cease orders.

Ms. McAtee explained the Division's complaint process. Ms. Singh stated that the Division maintained investigative files but they were not accessible by the Freedom of Information Act due to their confidential nature.

Mr. Pyle stated that the experience log did not specify for inspections done prior to August 6th without a supervisor that the applicant wanted to count towards their 250 inspections as a trainee. Mr. Pyle questioned if they could just put "self" in the supervisor column. Mr. Harriger stated that they would put a date down so the Board would know that the inspection would be completed before August 6, 2013. Ms. Singh stated that going forward the Board could implement another regulation. For example a trainee could get credit for 100 inspections as long as they apply before November deadline. Ms. Kelly or Ms. Singh would draft the regulation and the Board would go through the regulation change process. The proposed regulation could get published in the August Register of Regulations. Ms. McAtee suggested the Board move their August meeting towards the end of the month to allow for the Rules and Regulations hearing and they would more than likely have applications to review at that time.

Mr. Eichelberger questioned if there was a more streamlined process. Ms. Singh stated that if the Board starts the process they could give them credit, it would be tough to get a regulation in under an emergency status. Emergency Regulations can only be submitted if they are correcting an issue that would cause imminent peril to the public.

Ms. Singh questioned the Board if there would be a limit on how many inspections they would accept. Mr. Pyle stated that he felt the Board should not limit the amount. Mr. Harriger agreed with Mr. Pyle. The Board wants to give applicants credit for inspections that were completed before August 6th for applicants that do not meet the grandfather clause provisions (they would have to become trainees).

Mr. Theoharis made a motion, seconded by Mr. Harriger, to propose a Rules and Regulations change to allow trainee inspectors' credit for inspections performed before August 6th on their trainee experience log so long as the application was submitted on or before November 4, 2013. The motion carried unanimously.

Update on Public Outreach

Ms. McAtee stated that she drafted a letter to send out to the public and she had given the Board members a copy of the letter. After discussion, Ms. McAtee stated that she would be distributing the letter to various organizations and agencies.

Mr. Pyle questioned if there would be a way for the public to see who was licensed. Ms. McAtee stated that the Division's website linked to a license lookup tool for the public to verify licensed professionals.

NEW BUSINESS

Discussion of FAQ Section for Website

Mr. Eichelberger suggested rewording question number 4, to ask "How do I apply for a license?"

Mr. Eichelberger also suggested breaking down the various licenses types.

Discussion of Application Processing

Ms. McAtee questioned the Board if the next meeting could be held on August 22nd at 9:30 a.m. in order to hold the Rules and Regulations hearing. The Board agreed and the August 14th meeting would be cancelled.

Ms. McAtee questioned which professional members would like to review applications prior to meetings. Mr. Pyle stated that Ms. McAtee should send the applications to the three professional members on the Board, if there were more than a handful of applications to split up the applications between the professional members.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Mr. Eichelberger stated that he has been thinking about the 250 home inspections and that the whole idea of apprenticeships for the home inspectors may not be feasible. In the future this may have to be addressed. Ms. Singh stated that the Board could modify the Rules and Regulations as they discovered issues. The law currently included a trainee license type but the Board could modify the requirements in their Rules and Regulations.

PUBLIC COMMENT

Wes Mast questioned if the standards of practice that they currently hand out should be switched to the Delaware standards of practice. Mr. Pyle stated that once the Rules and Regulations are published home inspectors should switch to using the State's standards of practice.

Mr. Mast suggested that maybe in the future the Board could research an educational course/degree in lieu of experience; for example land surveyors require a college degree.

NEXT MEETING

The next Board meeting will be at **9:30 a.m. on Thursday, August 22, 2013 in Conference Room A** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Harriger made a motion, seconded by Mr. Eichelberger, to adjourn the meeting at 11:45 a.m. The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.